

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION****In Re: Lee Carter****Case No. 06-30352-DOT****Debtor(s)****MOTION TO DISMISS, NOTICE OF MOTION AND NOTICE  
OF THE HEARING**

**NOW COMES** the Chapter 13 Trustee and moves this Court to dismiss this case as provided in 11 U.S.C. 1307(C)(1) for unreasonable delay that is prejudicial to creditors.

Inasmuch as the legal basis for this motion is cited herein, it is respectfully requested that the requirement of a separate memorandum of law in support of this motion be waved.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five (5) business days before the date of the hearing, you or your attorney must:

x File with the court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-(H). If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
1100 East Main Street, Suite 310  
Richmond, VA 23219-3515

You must also mail a copy to:

Carl M. Bates, Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218-1819

Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, Virginia 23218-1819  
(804) 237-6800  
VSBN #27815

**NOTICE IS HEREBY GIVEN THAT A HEARING ON THIS MOTION  
WILL BE HELD AT U. S. BANKRUPTCY COURT, U. S. COURTHOUSE  
ANNEX, ROOM 335, 1100 EAST MAIN STREET, RICHMOND,  
VIRGINIA 23219, ON August 14, 2007, AT 11:15 AM**

**If no timely response has been filed opposing the relief requested, the Court  
may grant the relief requested in the motion.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

\S\ Carl M. Bates

Dated: June 20, 2007

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Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, Virginia 23218-1819  
(804) 237-6800  
VSBN #27815

**Certificate of Service**

I hereby certify that I have this **20th day of June, 2007**, mailed or hand-delivered a true copy of the foregoing Notice of Motion to the debtor(s) **Lee Carter, 3220 Arthurwood Place, Richmond, VA 23223** and debtor(s) attorney, **Joseph S. Massie, III, Esquire, e-mail: jmassie@massielawfirm.com.**

\S\ Carl M. Bates

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Carl M. Bates

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Chapter 13 Trustee  
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